(2)

2007 SINGLE BENCH (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [C.G.]

WRIT PETITION (S) NO. 3896 /2006

PETITIONERS

1. Jethu Ram Pal S/o Chaturgun Aged- about 50 years, R/o Village- Rengani, Post- Kesada, Tahsil- Simaga, Distt.- Raipur [C.G.]

2. Dukalha Kaushal S/o Shankar R/o Village- Pausari, ~~Post~~ Tahsil.- Simaga, Distt.- Raipur [C.G.]

P.R. No. 3980/06
Presented by Shri Sanjay Pal (Adv.)
dated 26/12/06

VERSUS

RESPONDENTS

1.State of Chhattisgarh
Through- Secretary
Public Works Department
D.K.S.Bhawan, Raipur [C.G.]
2.Engineer in Chief
Public Works Department
D.K.S.Bhawan, Raipur [C.G.]
3.Sub Divisional Officer
Public Works Department
Bhantapara, Raipur [C.G.]

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26/12/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT, ORDER OR DIRECTIONS

XI-HC-78

(17)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3896/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	7.8.2006	

Shri Sanjay Patel, counsel for the petitioners.

Shri S. Gupta, Dy. G.A. for respondents No.1 to 3, on advance copy.

Heard.

The main grievance of the petitioners is that they are permanent Gangman and working in the Public Works Department since last 27 years, even then they are not being regularized and the salary on the ground of equal work & equal pay is not being provided to them. The petitioners' case is that the erstwhile State of M.P. framed service Rules for the Gangman as Madhya Pradesh Gangman Service Rules, 1996 (for short 'the Rules, 1996') and these rules came into force w.e.f.1.1.96. As per these rules, the Gangmen who have worked for about 25 years shall be regularized and salary will also be paid to them. The petitioners have requisite qualifications for regularization, as such, they moved representations but all in vein, therefore, it has been prayed that respondents be directed to regularize the services of the petitioners.

Learned counsel for the petitioners submitted that the petitioners are working since last 27 years i.e. before 31.12.1988 and they are permanent Gangmen, therefore, they are entitled for regularization as per the Rules, 1996, but their cases are not being considered inspite of representations made by the petitioners.

Learned counsel for the petitioners further submitted that, therefore, respondent No.2 be directed to ensure that the cases of the

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

petitioners are considered in accordance with Rules 5 & 7 of the Rules,1996 for their regularization to which learned counsel for respondents has no objection.

Having heard learned counsel for the parties, having perused the record and the Rules, 1996, without expressing any opinion on the merit of the case of each of the petitioners, respondent No.2 is directed to direct the concerned Executive Engineer to consider the cases of the petitioners and to examine & scrutinize the case of each of the petitioners for their regularization in accordance with Rules, 1996, particularly, Rules 5 and 7 of the Rules, 1996. This exercise should be completed within a period of 3 months from today.

With the direction aforesaid, the petition stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

P.T.O.

11.8.06